



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

**GAIL FARBER, Director**

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

October 20, 2009

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**AMENDMENT NO. 1 OF CONTRACT WITH PARKING CONCEPTS, INC., TO EXTEND THE EL  
SOL SHUTTLE SERVICE HOURS  
UNINCORPORATED COMMUNITY OF EAST LOS ANGELES  
(SUPERVISORIAL DISTRICT 1)  
(3 VOTES)**

**SUBJECT**

This action is to approve extending the service hours for the El Sol Shuttle service.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Find that the work continues to be statutorily exempt from the provisions of the California Environmental Quality Act.
2. Find that this service continues to be more economically performed by an independent contractor than by County employees.
3. Approve Amendment 1 to Contract No. 76164 with Parking Concepts, Inc., d.b.a. Transportation Concepts, located in Irvine, California, for local transit services to residents in the unincorporated County area of East Los Angeles to extend the hours of service commencing on November 15, 2009, at an additional amount of \$236,162 for the current contract year to increase the annual not-to-exceed contract amount from \$783,349 to \$1,019,511, and an increase of \$376,187 for each of the subsequent optional renewal years to increase the annual not-to-exceed amount from \$783,349 to \$1,159,536.
4. Authorize the Director of Public Works or her designee to increase the contract amount up to an additional 10 percent of each contract period's sum for unforeseen, additional work within the scope of the contract, if required.
5. Authorize the Director of Public Works or her designee to execute the amendment.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to extend evening, weekend, and holiday service hours for the El Sol Shuttle service to coincide with the operation of the new Gold Line service and to continue providing local transit services to residents in the unincorporated County area of East Los Angeles and access to the following points of interest: major shopping centers, senior centers, youth and community centers, educational destinations, medical providers, public parks and recreational areas, public libraries, and civic centers.

**Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). Having a contractor that has the specialized expertise to provide these services accurately, efficiently, timely, responsively, and in a cost effective manner will support the Department of Public Works (Public Works) in meeting these goals.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

Based on the contractor's rate, the not-to-exceed increased annual contract amount is increased by \$236,162 (prorated for the remainder of the current term) for the current contract year and will increase the annual not-to-exceed amount from \$783,349 to \$1,019,511, commencing on November 15, 2009. For each of the subsequent option years, the not-to-exceed contract annual amount will be increased by \$376,187 (approximately \$31,349 per month), increasing the not-to-exceed annual amount for the option years from \$783,349 to \$1,159,536, plus a 10 percent contingency for unforeseen, additional work within the scope of work of the contract, if required. The hourly rate increased from \$35.91 to \$37.54 due to the increase in staff beyond the proportional increase of hours due to longer weekday hours and added weekend hours.

Funding for the amended contract is available from farebox revenue and the First Supervisorial District's Proposition A Local Return Transit Program included in the Fiscal Year 2009 10 Transit Enterprise Fund Budget. Funds to finance the remaining contract's optional years and 10 percent additional funding for contingencies will be requested through the annual budget process.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The Amendment 1 to Contract No. 76164 for El Sol Shuttle Service, which is substantially reflected in the enclosed form will continue the contract's current terms, specifications, and conditions. Prior to the Director of Public Works or her designee executing this amendment, the contractor will sign and County Counsel will review it as to form.

On June 12, 2007, Agenda Item 57, your Board approved this contract for an initial three-year term with two 1-year renewal options for a total contract period of five years commencing on July 1, 2007, to June 30, 2012, if all option years are exercised by the County. The contract is currently in its third year of the initial three-year term.

Using methodology approved by the Auditor-Controller, Public Works has calculated the cost-effectiveness of contracting for this amended service. Based on the cost calculations, Public Works has determined that the amended service continues to be more economically performed by an independent contractor than by County employees. The Auditor-Controller has reviewed and approved these calculations.

This contract's fuel adjustment will also be amended by modifying the applicable baseline rate from three months prior to proposal submission to May 2009, which reflects when the contractor submitted an adjusted hourly rate to account for the expanded service.

Since this is a Proposition A contract, Public Works has determined that the contractor continues to comply with the requirements of the Living Wage Program (Los Angeles County Code, Chapter 2.201) and agrees to continue to pay its full-time employees providing County services a living wage.

**ENVIRONMENTAL DOCUMENTATION**

This service is statutorily exempt from the provisions of the California Environmental Quality Act pursuant to Section 21080 (b) (10) of the Public Resources Code. This exemption provides for the implementation of passenger or commuter services.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of the amendment will continue the current contract services and increase the service hours.

**CONCLUSION**

Please return one adopted copy of this letter to the Department of Public Works, Administrative Services Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:GZ:er

Enclosures

- c: Chief Executive Office (Lari Sheehan)
- County Counsel
- Executive Office
- Office of Affirmative Action Compliance

AMENDMENT 1 TO CONTRACT NO. 76164

EL SOL SHUTTLE SERVICE

THIS AMENDMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2009, by and between the COUNTY OF LOS ANGELES, a subdivision of the State of California, a body corporate and politic (hereinafter referred to as COUNTY) and PARKING CONCEPTS, INC., d.b.a. TRANSPORTATION CONCEPTS, a California corporation (hereinafter referred to as CONTRACTOR).

WITNESSETH

WHEREAS, Contract No. 76164 was entered into between the COUNTY and the CONTRACTOR, on June 12, 2007, to provide local transit services to residents in the unincorporated County area of East Los Angeles; for a period of three years commencing on July 1, 2007, through June 30, 2010, with two 1-year renewal options; and

WHEREAS, the Los Angeles County Board of Supervisors authorized the Director of Public Works to approve and execute amendments to this Contract, which incorporate necessary changes within the scope of work; and

WHEREAS, the COUNTY desires to expand this Contract to include additional transit hours for the El Sol Shuttle; and

WHEREAS, the CONTRACTOR is willing to continue to provide these services under the Contract's existing terms and conditions as amended by this AMENDMENT.

NOW, THEREFORE, in consideration of these facts and payment to be made by the COUNTY, the COUNTY and the CONTRACTOR agree that Contract No. 76164 between them shall be amended as follows:

FIRST: Exhibit A, Scope of Work, Paragraph D.1, Service, is hereby deleted and replaced with the following:

1. Service

Service routes, frequency, and days of operation shall be as specified in Exhibit E.1, System Map and Schedules. This Service is planned to operate between the hours of 6 a.m. and 9 p.m., Monday through Thursday, 6 a.m. and 11 p.m. on Fridays, 9 a.m. and 11 p.m. on Saturdays, and 9 a.m. and 5 p.m. on Sundays.

Service during the following major holidays shall follow the Sunday schedule of 9 a.m. to 5 p.m.: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

SECOND: The cost for these additional services will be in accordance with this Amendment's Form PW-2.1, Schedule of Prices, as reflected in Attachment 1, increasing this Contract's annual Maximum Contract Sum from \$783,349 to \$1,019,511 for the current Contract year (an increase of \$236,162), and from \$783,349 to \$1,159,536 annually for the remaining option years (an increase of \$376,187), or such greater amount as the Board may approve.

THIRD: This Amendment's Form LW-8, Cost Methodology, is supplemented as reflected in Attachment 2 for the additional services.

FOURTH: This AMENDMENT will take effect on November 15, 2009.

FIFTH: The entire Twelfth paragraph of the Contract will be replaced with the following:

The Proposer is purchasing fuel using Market Prices. The Director may adjust 10 percent of the hourly rate of compensation set forth in Form PW-2 (Schedule of Prices) based on the increase or decrease in the fuel price published in the Official Energy Statistics from the United States Department of Energy website at [http://tonto.eia.doe.gov/dnav/pet/pet\\_pri\\_gnd\\_dcus\\_sca\\_m.htm](http://tonto.eia.doe.gov/dnav/pet/pet_pri_gnd_dcus_sca_m.htm) for Diesel (On-Highway) and Gasoline - All Grades (Regular) for California, and at [http://tonto.eia.doe.gov/dnav/pet/pet\\_pri\\_prop\\_dcu\\_r50\\_m.htm](http://tonto.eia.doe.gov/dnav/pet/pet_pri_prop_dcu_r50_m.htm) for Propane (LPG) using West Coast (PADD 5) "Commercial/Institutional," as appropriate to the vehicle used, beginning on the month of this Amendment's start date and thereafter at each successive one month interval, which shall be the effective date for any such fuel adjustment. The percentage change in the fuel price shall be obtained using the fuel prices published on May 2009 and the fuel price published three months preceding each effective date of the adjustment. However, when the percentage increase or decrease in the fuel price is less than 5 percent, no fuel adjustment will be granted. In the event the fuel adjustment is granted, the fuel adjustment (increase or decrease) will be added to or subtracted from, as applicable, the hourly rate of compensation to establish the adjusted hourly rate of compensation. A sample calculation is included in Exhibit L.1. Public Works shall be permitted to audit the Contractor's fuel usage, fuel costs, and fuel procurement methods for the vehicles used in providing these services, and the Contractor shall provide records pertaining to its fuel costs upon the County's request.

SIXTH: Except as modified by this AMENDMENT, all other terms, conditions, requirements, and specifications of this Contract shall remain in full force and effect.

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IN WITNESS WHEREOF, the COUNTY has, by order of its Board of Supervisors, caused these presents to be subscribed by the Director of Public Works, and the CONTRACTOR has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

COUNTY OF LOS ANGELES

By \_\_\_\_\_  
Director of Public Works

APPROVED AS TO FORM:

ROBERT E. KALUNIAN  
Acting County Counsel

By \_\_\_\_\_  
Deputy

PARKING CONCEPTS, INC., d.b.a.  
TRANSPORTATION CONCEPTS

By \_\_\_\_\_  
Its Executive Director

\_\_\_\_\_  
Type or Print Name

By \_\_\_\_\_  
Its Secretary

\_\_\_\_\_  
Type or Print Name